

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, DECEMBER 18, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

The Board of Equalization was convened at 1:35 p.m.

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 11, 2001. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated December 11, 2001. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 42 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Stevens seconded approval of the additions and deductions to the tax assessment rolls. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Goodwill Industries Serving Southeast Nebraska, Inc. (2 exemptions)
Lincoln Action Program, Inc. (2 exemptions)
Nebraska Crop Improvement Association
Sheridan Lutheran Church
Southeast Nebraska Mobile Diagnostic Services, Inc.

MOTION: Heier moved and Stevens seconded approval of the motor vehicle tax exemptions. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Heier moved and Hudkins seconded adjournment of the Board of Equalization meeting at 1:37 p.m. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 18, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

The Board of Commissioners meeting was convened at 1:37 p.m.

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 11, 2001. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated December 11, 2001. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- 2) **CLAIMS FOR REVIEW:**

There were no claims for review.

- 3) **CLAIMS:** Approval of all claims processed through Tuesday, December 18, 2001.

MOTION: Heier moved and Stevens seconded approval of the claims. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **SPECIAL PRESENTATION:**

A. A resolution adopting an occupational blood borne pathogens exposure control plan. (R-01-131)

Bill Kostner, City Risk Manager, introduced Brenda Christie with the Lincoln-Lancaster County Health Department.

Christie stated that blood borne pathogens are currently the primary concern in relation to occupational exposures. Those pathogens, she said, are Hepatitis B, Hepatitis C and Human Immunodeficiency Virus (HIV).

MOTION: Heier moved and Stevens seconded approval of Resolution 01-131. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

5) **PUBLIC HEARINGS:**

A. Adopting a budget for the County Dental Self Insurance Fund, pursuant to Neb. Rev. Stat. §13-511. The Dental Self Insurance Program will begin January 1, 2002 and will include seven months of premiums totaling \$250,000 for the current fiscal year ending June 30, 2002.

The Chair opened the public hearing.

Dave Kroeker, Budget and Fiscal Director, explained that the budget was adopted in August, 2001 after which the benefits consultant recommended the County consider self insuring in relation to dental insurance. He stated by self insuring the premium level would remain the same as the prior year. Kroeker stated the goal is to keep the premium rate at the same level in the future.

Kroeker stated in order to allow the funds to flow through the budget it (the budget) would have to be modified.

The Chair closed the public hearing.

MOTION: Hudkins moved and Workman seconded approval. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

5) **PUBLIC HEARINGS CONTINUED:**

- B. County Final Plat 01029, Post Rock Pines, requested by Lyle Loth of ESP, on behalf of Randy Miller, consisting of eight lots and one outlot on property generally located at the southeast corner of South 120th Street and Firth Road in Lancaster County, Nebraska.**

The Chair opened the public hearing.

Mike DeKalb, Planning Department, gave a brief overview of the final plat and stated that the Planning Commission unanimously recommended approval.

The Chair closed the public hearing.

6) **OLD BUSINESS:**

- A. Designation of the following official newspaper(s) for Lancaster County for 2002 for publication of transportation projects:
(M-01-144)**

Crete News
Lincoln Journal Star
The News
The Seward Independent
Voice

MOTION: Workman moved and Stevens seconded approval. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

- B. An agreement with Evercom Systems, Inc. to permit Evercom to exclusively install and maintain an inmate telecommunications system at the new Juvenile Detention Center located at 1200 Radcliff Road. The County will receive 35 percent of the actual net revenue from the utilization of the equipment by inmates. The term of the agreement is three years from the date of execution. (C-01-582)**

MOTION: Heier moved and Hudkins seconded approval of an agreement with Evercom Systems, Inc. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

6) **OLD BUSINESS CONTINUED:**

- C. Amendment to child support enforcement services agreement with the Nebraska Department of Health and Human Services. The amendment extends the term of the agreement by 150 days. The amendment requires the Clerk of the District Court to take on additional duties and the County will be reimbursed for services provided. (C-01-583)

MOTION: Heier moved and Stevens seconded approval of an amendment to a child support enforcement services agreement with the Nebraska Department of Health and Human Services. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

7) **NEW BUSINESS:**

- A. A resolution adopting a budget for the County Dental Self Insurance Fund, pursuant to Neb. Rev. Stat. §13-511. The Dental Self Insurance Program will begin January 1, 2002 and will include seven months of premiums totaling \$250,000 for the current fiscal year ending June 30, 2002. (R-01-128)

MOTION: Heier moved and Hudkins seconded approval of Resolution 01-128. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- B. A resolution in the matter of authorizing the County Clerk to issue payments while the County Board is adjourned due to the holidays. (R-01-124)

MOTION: Heier moved and Stevens seconded approval of Resolution 01-124. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

C. A resolution in the matter of designating the following banks as depositories for Lancaster County: (R-01-130)

Cornhusker Bank	Saline State Bank (Hallam branch)
Farmers Bank	Security First
Farmers & Merchants Bank	U S Bank
First State Bank	Union Bank
Lancaster County Bank	Wells Fargo Bank
Pinnacle Bank	West Gate Bank

MOTION: Hudkins moved and Stevens seconded approval of Resolution 01-130. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

D. A program resolution for a road project on County Structure No. F-44, State Structure No. C005501305P. The County will set aside \$924,400 for this future project located at and described as: (C-01-603)

Beginning 1100' north of the South 1/4 corner of Section 31, Township 11 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, thence northerly along NW 48th Street approximately 1900' (NW 48th Street and West Oak Creek). Project will be on new alignment and will be built in conjunction with State Project No. STPD 34-6(133)-Lincoln West.

MOTION: Hudkins moved and Workman seconded approval. Campbell, Heier, Stevens, Workman and Hudkins voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

E. A resolution designating additional building projects previously designated and specifying the amount of the levy of taxes for each project under the Building Fund: (R-01-129)

<u>Project</u>	<u>Time Period</u>	<u>Levy per \$100 taxable property value</u>
St. Mary's Building Project	January 1, 2002 to December 31, 2002	0.2898 cents
	January 1, 2003 to December 31, 2004	0.3059 cents
Health Facilities Project	January 1, 2002 to December 31, 2002	0.0060 cents
	January 1, 2003 to December 31, 2004	0.2213 cents
County Engineering	January 1, 2002 to December 31, 2002	0.0702 cents
	January 1, 2003 to December 31, 2005	0.0765 cents
Motor Vehicles Facilities Project	January 1, 2002 to December, 2002	0.1342 cents
	January 1, 2003 to December 31, 2006	0.1450 cents
Juvenile Detention Facility Project	January 1, 2002 to December 31, 2002	0.8139 cents
	January 1, 2003 to December 31, 2005	1.3436 cents
Miscellaneous County Project	January 1, 2002 to December 31, 2002	0.2489 cents

7) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Workman seconded approval of Resolution 01-129. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

F. Change Order Number 3 for the Lancaster County Juvenile Detention Facility. Changes include: (C-00-505-CO-01-6)

- Change in lockset to keep locks consistent, which is a cost of \$609.
- Deletion of a 15' by 15' concrete area, which is a credit of \$450.
- Addition of a steel plate to the outdoor recreation areas, which is a cost of \$5,148.
- Change of sprinkler heads, which is a cost of \$517.

MOTION: Heier moved and Hudkins seconded approval. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

G. Agreement with Girls and Boys Town for Lancaster County youths placed at Girls and Boys Town. The County will pay \$64.50 per day for each youth. The term of the agreement is for 2 years commencing on October, 2001. (C-01-606)

The Clerk stated that the County Attorney's Office requested the agreement be held.

By direction of the Chair, the agreement with Girls and Boys Town was held.

H. Agreement with Patricia Blakely as a full-time Director of the Healthy Families Project to provide training, recruitment and supervision of peer mentors within the wraparound system of care. The term of the agreement is January 1, 2002 to December 31, 2002. The County will pay \$27.50 per hour for 40 hours a week. (C-01-597)

David Johnson, Deputy County Attorney, stated the agreement had been amended to reflect a term of January 1, 2002 through June 30, 2002. He also stated the contractor had not signed the agreement and requested that approval be subject to the amended term and signature of the contractor.

7) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Hudkins seconded approval of the agreement with Patricia Blakely subject to the amended term (January 1, 2002 through June 30, 2002) and signature of Patricia Blakely. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

I. Agreement with Patricia Blakely to conduct family satisfaction surveys at the Lancaster Juvenile Detention Center. The term of the agreement is January 1, 2002 to December 31, 2002. The County will pay \$15 per complete survey. (C-01-598)

Johnson stated Dennis Banks, Director of the Juvenile Detention Center, had requested the agreement be dropped from the agenda.

MOTION: Heier moved and Stevens seconded to drop an agreement with Patricia Blakely to conduct family satisfaction surveys at the Juvenile Detention Center from the agenda. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

J. Agreement with Kathy Dunning for a full-time Family Coordinator to review performance of Healthy Families Project peer mentors. The County will pay \$17.50 per hour for up to 25 hours per week. The term of the agreement is January 1, 2002 to December 31, 2002. (C-01-602)

Johnson stated the agreement had been amended to reflect a term of January 1, 2002 through June 30, 2002. He also stated the contractor had not signed the agreement and requested that approval be subject to the amended term and signature of the contractor.

MOTION: Heier moved and Stevens seconded approval of an agreement with Kathy Dunning for a full-time Family Coordinator to review performance of Health Families Project peer mentors subject to the amended term (January 1, 2002 through June 30, 2002) and signature of Kathy Dunning. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

K. Mutual Release and Settlement Agreement with the City of Lincoln, and other defendants in the case of Mitchell Evans et.al. and approval of settlement. (C-01-605)

Johnson stated the release and settlement agreement was between each of the defendants. The settlement amount was for \$20,000.

Johnson requested that the County Attorney's Office be authorized to execute any necessary documents on behalf of the County Board regarding the settlement.

MOTION: Workman moved and Stevens seconded approval of a mutual release and settlement agreement with the City of Lincoln, and other defendants, in the case of Mitchell Evans et. al. and to authorize the County Attorney's Office to execute any necessary documents on behalf of the County Board relating to the settlement. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

L. Authorization of Wells Fargo Bank, as Trustee, to disburse \$130,910 from the juvenile detention center bond proceeds to Cheever Construction Co. for application and certificate for payment number 22 as general contractor for the Juvenile Detention Facility and \$2,743.25 for final payment for the ornamental lighting contract for the Juvenile Detention Facility. (M-01-151)

MOTION: Hudkins moved and Workman seconded approval. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

M. An AIA document (G704-2000), Certificate for Substantial Completion with Cheever Construction for the Lancaster County Juvenile Detention Facility located at 1200 Radcliff Street, Lincoln, Nebraska. (C-01-607)

MOTION: Workman moved and Heier seconded approval. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

N. Authorization of Wells Fargo Bank, as Trustee, to disburse the following amounts from the juvenile detention center bond proceeds to the following companies for the new Juvenile Detention Facility:

Requisition No. 59 for start up supplies and miscellaneous items (M-01-155)

- Midland Medical Supply, in the amount of \$101.50.
- Libra Safety Products, in the amount of \$267.
- Nogg, in the amount of \$637.75.

Requisition No. 60, for supplies and miscellaneous items (M-01-156)

- Husker Electric Supply, in the amount of \$450.09.
- Alamar Uniforms, in the amount of \$2,170.39.
- Office Depot, in the amount of \$1,799.41.
- Nogg, in the amount of \$2,536.41
- Bob Barker Company, Inc., in the amount of \$668.05.
- Midland Medical Supply Co., in the amount of \$185.85
- Alternative Business Systems, in the amount of \$850.

Requisition No. 1 for equipment and services (M-01-157)

- Prescott Heald & Son, Inc., in the amount of \$4,514.
- Allied Refrig & Appliance, Inc., in the amount of \$468.
- Lyon Workspace Products, in the amount of \$593.14.
- Electronic Contracting Company, in the amount of \$7,700.
- Jacobsen Fire Equipment, in the amount of \$380.
- ModuForm, in the amount of \$56,325.30.
- Lintex, in the amount of \$92.40.
- ATD-American Company, in the amount of \$5,128.74.
- Ray O'Herron Co., Inc., in the amount of \$426.
- Heartland Electric Company, in the amount of \$314.
- Sinclair Hille, in the amount of \$916.80.

MOTION: Heier moved and Workman seconded approval. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

O. Authorize Dean Settle, Community Mental Health Center Director, to submit a proposal for Behavioral Health Services to Region V Systems. (M-01-158)

MOTION: Heier moved and Stevens seconded approval. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

P. A Letter of Intent for Dean Settle, Community Mental Health Center Director, to submit proposals for Adult Emergency Community Support and Adult Bi-Lingual/Bi-Cultural Service Coordination to Region V Systems. (M-01-159)

MOTION: Heier moved and Stevens seconded approval. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

Q. A political subdivision tort claim filed by Michael L. Edwards against the Lancaster County Corrections Department for lost property in an unspecified amount.

MOTION: Heier moved and Stevens seconded to accept the Director's recommendation and deny the tort claim filed by Michael L. Edwards. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

R. A political subdivision tort claim filed by Steve D. Rainey against the Lancaster County Corrections Department for lost and damaged property in an unspecified amount.

MOTION: Heier moved and Hudkins seconded to accept the Director's recommendation and deny the tort claim filed by Steve D. Rainey. Campbell, Heier, Stevens, Workman and Hudkins voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

S. A political subdivision tort claim filed by David R. Lewis against the Lancaster County Corrections Department for damaged property, in the amount of \$20.

MOTION: Workman moved and Stevens seconded to accept the Director's recommendation and deny a tort claim filed by David R. Lewis. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

8) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Lancaster County Sheriff's Report of Fees for November, 2001.
2. Register of Deeds Monthly Report for November, 2001.

B. A resolution in relation to County Final Plat No. 01029, Post Rock Pines, consisting of 8 lots and 1 outlot, including waivers on property generally located at the southeast corner of South 120th Street and Firth Road in Lancaster County, Nebraska. (R-01-132)

C. A subdivision agreement with Randall K. Miller and Janet E. Miller for Post Rock Pines generally located at the southeast corner of South 120th Street and Firth Road in Lancaster County, Nebraska. (C-01-604)

D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- Stuart A. and Judith Rafos, in the amount of \$75, at 11550 Van Dorn Street; Project C55-J-409(1). (C-01-601)
- James and Connie Campbell, in the total amount of \$1,635, at 11410 Van Dorn Street; Project C55-J-409(1). (2 contracts) (C-01-599 and C-01-600)

8) **CONSENT ITEMS CONTINUED:**

Johnson requested that Consent Item 8C be acted on separately.

MOTION: Hudkins moved and Heier seconded approval of Consent Items 8A, 8B and 8D.

Campbell noted for the record that James and Connie Campbell (Consent Item 8D) are not relatives.

ROLL CALL: Campbell, Hudkins, Heier, Workman and Stevens voted aye.
Motion carried.

Johnson referred to Consent Item 8C and requested that the County Board's approval be subject to receiving the signatures of Randall K. Miller and/or Janet E. Miller.

MOTION: Heier moved and Stevens seconded approval of Consent Item 8C subject to receiving the signatures of Randall K. Miller and/or Janet E. Miller. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

9) **ADJOURNMENT:**

MOTION: Workman moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:20 p.m. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk